

Rt. 12, Frederick, Md. 21701
10/2/76

W/H
Dr. Irwin Sperberg
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Dear Dr. Sperber,

Thank you for the copy of your 9/29 memo to your Sojourner Truth Library.

Anxious as I am to get my work around, particularly in permanent repositories, what interests me most in your memo is that you teach criminology. I'll explain.

I have probably made more use of the Freedom of Information Act, in and out of court, than any other person. One of these cases that is, I think, particularly relevant in criminology is the first of four cited in the Senate as requiring the 1974 amendments to the original Act. In its original form it was Civil Action 2301-70 in federal district court in Washington.

After the amending of the Act as C.A. 226-75 it was the first case filed under the amended Act. I obtained some of the raw materials of the basic scientific tests in the JFK assassination investigation but not what I sought, the final results. The judge ruled that non-compliance was compliance, we appealed and won an entirely unreported but I think sweeping and in some ways precedent decision from the appeals court, No. 75-2021, decided 7/7/76. Although on banc this court ruled against me in the original case, in which I received not a shred of paper, it has now ruled unanimously for me. It mandated not what I might do but what I "must," also holding that while this served my interest it also served that of "the nation." To this it added that I should depose an open-ended number of FBI agents, including four whose retirement was forced by this action. You seem to know the field. These include Frazier, Gallagher and Shaneyfelt. So they have retired in vain.

My lawyer is Jim Lesar, 1231 4 St., SW, Washington, D.C. 20024. He represents me in all my FOIA/PA cases, of which three are now before different courts. ~~One~~ One of these three seems appropriate with the name of your library. C.A. 75-1996 is for the suppressed Department of Justice evidence in the King assassination. Mr. Lesar remains James Earl Ray's criminal lawyer, despite the newspaper accounts you may have seen. I am his investigator. This action has nothing to do with Ray, however. In time we will break an appreciable amount of what is suppressed loose. We have already obtained definitive proof from the FBI labs that the crime could not have been committed as alleged by the prosecution. (I do speak to college audiences on the King assassination as well as that of JFK.)

C.A. 226-75 is for the results of all spectrographic and neutron-activation analyses. In both cases we need the help of an accredited criminologist, for guidance and perhaps as an expert witness. We cannot pay, however. For years I have been without any regular income. Mr. Lesar has not received any fees.

I live in the country, where library facilities are limited. One of my needs is for the pages from a standard text outlining how these tests are conducted in gunshot cases, meaning what evidence is sought and how it is compiled. What has to be tested. (They claim no RAAs on the front-seat copper-alloy jacket fragment, believe it or not!)

As recently as yesterday in a status call the Department claims there are no instructions, manuals, guides or anything else that they have on conducting these tests. They admit there is literature but that they have no papers of their own. The next status call on this is on the 29th.

If by then you could provide a xerox of what we need from a standard text it would be more than helpful because the judge is virtually a Department official.

In the King case they claim to have tested his clothing for Pb only. Not even the alloy. Nor the jacket material. It was a Lokt-Core .30-06 bullet.

You know this bullet. The stub that was recovered from the corpse is close to a perfect specimen. They claim otherwise to avoid the certainty of proof that it did not come from the so-called Ray rifle. It could not have from other proofs. Nor could the shot have been fired as alleged from the proofs I have.

It now seems possible that with help in these two cases we may be able to end parts of these great national trauma.

If you can help in any way we'd certainly appreciate it.

You also refer to the intelligence community in general. I have all the records the CIA has released. My FOIA requests are inclusive. I will have all future releases. I do not have all the FBI documents because many of those I examined were worthless. However, I do have all that were originally ~~withheld~~ withheld. If you have graduate students to whom these records could be of interest they are welcome to access.

In time I believe both cases will become criminology classics. With a case in court perhaps the King case more so. We took an unusual approach in addressing effectiveness of counsel in the 1974 evidentiary hearing. We totally destroyed the entire case against Ray. There was no rebuttal. The judge held that after the guilty plea it was irrelevant to that plea. Or to whether or not it was voluntary and knowing or coerced or to effectiveness of counsel who did not do as we did.

Sincerely,

Harold Weisberg